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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,772	12/19/2001	Rajesh S. Agarwalla	AUS920010795US1	1225
65362 7590 11/18/2008 HAMILTON & TERRILE, LLP IBM Austin P.O. BOX 203518 AUSTIN, TX 78720				
EXAMINER				
WANG, LIANG CHE A				
ART UNIT		PAPER NUMBER		
2453				
MAIL DATE		DELIVERY MODE		
11/18/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/034,772

**Applicant(s)**

AGARWALLA ET AL.

**Examiner**

Liangche A. Wang

**Art Unit**

2453

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 22-27, 32-37, 53-58, 63-68 and 84-89 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 22-27, 32-37, 53-58, 63-68 and 84-89 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsman's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/14/08, 11/12/08
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-6, 22-27, 32-37, 53-58, 63-68, 84-89 are presented for examination.
2. Claims 1-6, 22, 24, 32-37, 53, 55, 63-68, 84 and 86 are amended.

### ***Paper Submitted***

3. It is hereby acknowledged that the following papers have been received and placed of record in the file:
  - a. **Information Disclosure Statements** as received on 5/14/08, 11/12/08 are considered.

### ***Response to Arguments***

4. Applicant's arguments filed 9/2/08, have been fully considered but they are not persuasive.
5. In that remarks, applicant's argues in substance:
  - a. That: Copeland has failed to teach limitation recited in claims 1-6, 22-26.  
  
In response to applicant's argument, applicant's arguments are fully considered but they are not persuasive. Copeland teaches in regards to claim 1, a method of receiving the fragment (Col 7 line 66-Col 8 line 5 fragment in a HTML page must be received in order to be rendered); in regards to claim 2, where the claim limitation requires the device acts as a client, a server **or** a hub, and does not require the device to be a client; in regards to claim 3, figure 7, fragment ID corresponds to the "message header" that indicates the body of the message is a

fragment; in regards to claim 4, Col 9 lines 48-56, figure 7, item 706 "cache it" indicates if the fragment is "cacheable" or "non-cacheable. Rejection is maintained and updated rejection is provided below.

***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title

7. Claims 63-68, 84-89 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Referring to claim 63, we note that a "a computer readable medium" is directed to statutory subject matter as long as the language is not supported in the Specification with non-statutory embodiments (i.e., signals, transmission mediums and the like). Applicant's specification discloses that the computer readable medium is intended to broadly encompass "transmission-type media, such as digital and analog communication links". Therefore claims 63 and its dependent claims are rejected under 35 U.S.C. 101.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-6, 22-27, 32-37, 53-58, 63-68, 84-89 are rejected under 35 U.S.C. 102(e) as being anticipated by Copeland et al., US Patent Number 6,557,076, hereinafter Copeland.
10. Referring to claim 1, Copeland teaches a method for processing objects at a data processing system in a network, the method comprising: receiving a message at a computing device (Col 7 line 66-Col 8 line 5 fragment in a HTML page must be received in order to be rendered); and determining that a message header in the message indicates that the first message relates to a fragment (Col 7 line 66 – Col 8 line 26; Col 9 lines 42-56).
11. Referring to claim 2, Copeland teaches the method of claim 1 further comprising: storing a fragment from the message in a cache maintained by a cache management unit within the computing device, wherein the cache management unit operates equivalently in support of fragment caching operations whether the computing device acts as **a client, a server, or a hub** located throughout the network (Col 9 lines 13-29).
12. Referring to claim 3, Copeland teaches the method of claim 1 further comprising: determining that a message header in the message indicates that a message body portion of the message is a fragment (Col 7 line 66 –Col 8 line 5, Col 9 lines 42-56, figure 7, fragment ID corresponds to the “message header” that indicates the body of the message is a fragment).
13. Referring to claim 4, Copeland teaches the method of claim 1 further comprising: determining that a message header in the message indicates that the fragment is cacheable

(Col 7 lines 66- Col 8 line 5 Col 9 lines 48-56, figure 7, item 706 “cache it” indicates if the fragment is “cacheable”).

14. Referring to claim 5, Copeland teaches the method of claim 4 wherein the message comprises an indication that the fragment is non-cacheable to non-fragment-supporting cache management units and an indication that the fragment is cacheable to fragment-supporting cache management units (page 9 line 48-50, item 706 “cache it” indicates if the fragment is “cacheable” or “non-cacheable” to the system).
15. Referring to claim 6, Copeland teaches the method of claim 5 wherein the message comprises an HTTP Cache-Control header with a no-cache directive for non-fragment-supporting cache management units and with a directive for caching the fragment for fragment-supporting cache management units (Col 15 lines 20-47) (page 9 line 48-50, item 706 “cache it” indicates if the fragment is “cacheable” or “non-cacheable” to the system).
16. Referring to claim 22, Copeland teaches the method of claim 1 further comprising:  
retrieving a set of dependency identifiers from the message, wherein a dependency identifier is generated by a server that originated the fragment (Col 10 lines 7-25, data ID corresponds to the “dependency identifier”); and storing the set of dependency identifiers in association with a source identifier for the fragment (fragment ID)(Col 10 lines 21-25).
17. Referring to claim 23, Copeland teaches the method of claim 22 further comprising:  
receiving an invalidation request message; retrieving a dependency identifier from the invalidation request message; determining a set of fragments that are associated with the dependency identifier; and purging the set of fragments from the cache in response to

determining the set of fragments that are associated with the dependency identifier (Col 10 lines 10-25, Col 7 line 66 – Col 8 line 5).

18. Referring to claim 24, Copeland teaches the method of claim 1 further comprising:  
retrieving a set of fragment caching rules from the message, wherein a fragment caching rule determines a manner for generating a cache identifier for the fragment (Col 9 line 13 - Col 10 line 40); and generating a cache identifier for the fragment in accordance with a fragment caching rule (Col 11 lines 15-25, cache ID must be generated in ordered to be obtained).
19. Referring to claim 25, Copeland teaches the method of claim 24 further comprising:  
uniquely identifying the fragment using the cache identifier (Col 15 lines 34-47, cache ID are used to uniquely identifies the fragment).
20. Referring to claim 26, Copeland teaches the method of claim 24 further comprising:  
performing the storing operation using the generated cache identifier for the fragment (Col 15 lines 19-47).
21. Referring to claim 27, Copeland teaches the method of claim 24 further comprising:  
obtaining at least a path portion of a URI (Uniform Resource Identifier) associated with the fragment in order to form a base cache identifier (Col 11 line 65- Col 12 line 35, Col 15 lines 19-47); and applying a fragment caching rule to the base cache identifier to form a cache identifier for the fragment, wherein a fragment caching rule comprises a set of query parameter names and/or cookie names that are used to obtain name-value pairs that are appended to the base cache identifier (Col 11 lines 15-43, Col 15 lines 19-47).

22. Referring to claims 32-37, 53-58, 63-68, 84-89 claims 32-37, 53-58, 63-68, 84-89 encompass the same scope of the invention as that of the claims 1-6, 22-27. Therefore, claims 32-37, 53-58, 63-68, 84-89 are rejected on the same ground as the claims 1-6, 22-27.

### *Conclusion*

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liangche A. Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.



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25. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
26. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Liang-che Alex Wang  
November 17, 2008

/Liangche A. Wang/  
Primary Examiner, Art Unit 2453